IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

NOTICE OF MOTION NO.632 OF 2006
IN
WRIT PETITION NO.1915 OF 1998

Nasserwanjee Manockjee Petit
Charity Fund ...Petitioner.

Versus

The State of Maharashtra
and 2 Ors. ...Respondents.

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Mr.Rajesh Patil i/b. Neela & Mahto, Advocate for the Petitioner.
Mr.R.J.Mane, A.G.P., for the State.
Ms.T.K.Bairagdar i/b. M.P.Vashi & Asso., Advocate for the Respondents.

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CORAM : **DR.S.RADHAKRISHNAN AND SMT.V.K.TAHILRAMANI,JJ.**

DATED : **NOVEMBER 17, 2006.**

P.C.:

1. Heard the learned counsel for the petitioner and the respondents. By this Notice of Motion, the petitioner is seeking recall of our order dated 9th November, 2006 whereby the above petition was dismissed in default.

3. Perused the affidavit in support of the Motion. For the reasons stated in the affidavit

in support of the Motion, sufficient cause is made out. There is no negligence, omission or inaction on the part of the petitioners in prosecuting the above matter. Hence, Notice of Motion is made absolute in terms of prayer clauses (a).

4. Place the above Petition on board for final hearing on 4th December, 2006.

[DR.S.RADHAKRISHNAN,J.]

[SMT.V.K.TAHILRAMANI,J.]